

### **REMARKS**

This paper responds to the Office Action mailed on November 17, 2004. Claims 16, 29, 30, 54, 57, and 59 are amended, no claims are canceled or added; as a result, claims 1-62 remain pending in this application.

#### **§102 Rejection of the Claims**

Claims 16-20, 25-33, 35-36, 54, 56-57, and 59 were rejected under 35 USC § 102(b) as being anticipated by Sasin et al. (U.S. 6,011,830). Applicant respectfully traverses.

Claim 16 recites, among other things, “a combiner configured to create a test traffic thread comprising said test traffic in which is embedded said traffic parameter measurement data such that said test traffic thread makes said embedded data available at an interface of said digital mobile phone network remote from said mobile communications device, said combiner being further configured to provide said test traffic thread to said traffic input of said device driver; wherein, in operation, the equipment is adapted to output said test traffic thread comprising a combination of test traffic for testing said digital mobile phone network and traffic parameter measurement data to said mobile communications device, said traffic parameter measurement data representing a measured parameter of traffic received from said digital mobile phone network via said mobile communications device as a response to said test traffic. Applicant can not find these features in Sasin. For example, applicant can not find where Sasin teaches or suggests creating a test traffic thread as recited in claim 16 whereby the traffic thread makes the embedded data available at an interface of said digital mobile phone network remote from said mobile communications device. As applicant can not find all of the features of claim 16 in Sasin, applicant requests reconsideration and allowance of claim 16 as well as claims 17-26 depending at least in part on claim 16 as well as claims 27-28, which include the features of claim 16.

Claim 29 recites, among other things, “a combiner configured to create a test traffic thread comprising said test traffic in which is embedded said traffic parameter measurement data such that said test traffic thread makes said embedded data available at an interface of said digital

mobile phone network remote from said mobile communication devices, said combiner being further configured to provide said test traffic thread to said traffic input of said device driver; wherein the computer is adapted to output said test traffic thread comprising a combination of test traffic for testing said digital mobile phone network and traffic parameter measurement data to said mobile communications device, said traffic parameter measurement data representing a measured parameter of traffic received from said digital mobile phone network via said mobile communication device; as a response to said test traffic.” Applicant can not find these features in Sasin. For example, applicant can not find where Sasis teaches or suggests a carrier medium having code that includes creating a test traffic thread as recited in claim 29 whereby the traffic thread makes the embedded data available at an interface of said digital mobile phone network remote from said mobile communications device. As applicant can not find all of the features of claim 29 in Sasin, applicant requests reconsideration and allowance of claim 29.

Claim 30 recites, among other things, “creating a test traffic thread comprising said test traffic in which is embedded said traffic parameter measurement data such that said test traffic thread makes said embedded data available at an interface of said digital mobile phone network remote from said mobile communications device to thereby facilitate testing of said digital mobile phone network.” Applicant can not find these features in Sasin. As applicant can not find all of the features of claim 30 in Sasin, applicant requests reconsideration and allowance of claim 30 as well as claims 31-34 depending at least in part on claim 30 as well as claims 35-36, which include the features of claim 30.

Claim 54 recites, among other things, “create a test traffic thread comprising test traffic in which is embedded said coded information such that said test traffic thread makes said embedded information available at an interface of said mobile communications system remote from said subscriber mobile communications device.” Applicant can not find these features in Sasin. As applicant can not find all of the features of claim 54 in Sasin, applicant requests reconsideration and allowance of claim 54 and dependent claims 55-56.

Claim 57 recites, among other things, “extract from said read data a test traffic thread, said test traffic thread comprising test traffic in which is embedded coded information relating to a test activity performed by a said mobile device at a location remote from said interface, and extract from said read data associated mobile communications system operation information for

one of said communications devices; decode said coded information from said test traffic thread.” Applicant can not find these features in Sasin. As applicant can not find all of the features of claim 57 in Sasin, applicant requests reconsideration and allowance of claim 57 and dependent claim 58.

Claim 59 recites, among other things, “extracting from said captured data a test traffic thread comprising test traffic in which is embedded coded information relating to a test activity performed by a said mobile device at a location remote from said interface and associated mobile communications system operation information for one of said communications devices.” Applicant can not find these features in Sasin. As applicant can not find all of the features of claim 59 in Sasin, applicant requests reconsideration and allowance of claim 59 and dependent claim 60.

### §103 Rejection of the Claims

Claims 21-22, 24, and 34 were rejected under 35 USC § 103(a) as being unpatentable over Sasin et al. in view of Tiedmann, Jr. et al. (U.S. 5,802,105). Applicant respectfully traverses at least for substantially similar reasons as stated above with regard to claims 16 and 30 as Tiedmann Jr. does not cure the defects of Sasin as a reference against the respective parent claims. Reconsideration and allowance are requested.

Claim 23 was rejected under 35 USC § 103(a) as being unpatentable over Sasin et al. in view of Tiedmann, Jr. et al. and Matusevich et al. (U.S. 6,535,733). Applicant respectfully traverses at least for substantially similar reasons as stated above with regard to claim 16 as Tiedmann Jr. and Matusevich do not cure the defects of Sasin as a reference against parent claim 16. Reconsideration and allowance are requested.

Claim 55 was rejected under 35 USC § 103(a) as being unpatentable over Sasin et al. in view of Matusevich et al. Applicant respectfully traverses at least for substantially similar reasons as stated above with regard to claim 54 as Matusevich. does not cure the defects of Sasin as a reference against parent claim 54. Reconsideration and allowance are requested.

Claims 58 and 60 were rejected under 35 USC § 103(a) as being unpatentable over Sasin et al. in view of Alajoki et al. (U.S. 6,285,875). Applicant respectfully traverses at least for substantially similar reasons as stated above with regard to claims 57 and 59 as Alajoki does not cure the defects of Sasin as a reference against the respective parent claims. Reconsideration and allowance are requested.

Allowable Subject Matter

Claims 1-15, 37-53, and 61-62 were indicated as allowed over the prior art of record

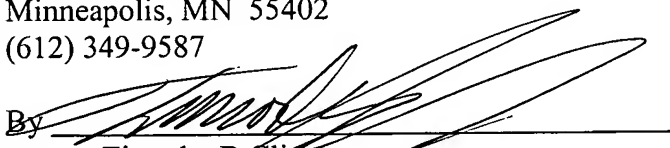
CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 349-9587 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,  
YIU FAI KO ET AL.  
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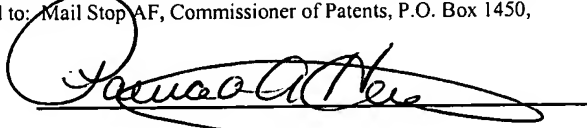
Date 17 Jan '05

By   
Timothy B. Clise  
Reg. No. 40,957

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 17th day of January, 2005.

PATRICIA A. HULTMAN

Name

  
Signature